

OK

1 **AN ACT** *to amend* 7.23 (1) (a); and *to create* 7.10 (1) (d) and 7.23 (1) (am) of the
2 statutes; **relating to:** preservation of unused ballots.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

JOINT LEGISLATIVE COUNCIL PREFATORY NOTE: This draft was prepared for the joint legislative council's special committee on election law review.

This draft provides that unused ballots from an election may not be discarded or destroyed until at least the day after the last day for the filing of a recount petition for any office on the ballots. In addition, the draft authorizes the county clerk to store any such unused ballots upon request of a municipal clerk of a municipality within the county and authorizes the county clerk to destroy the ballots pursuant to provisions of the draft.

The draft contains an effective date of January 1, 2006.

3 **SECTION 1.** 7.10 (1) (d) of the statutes is created to read:

4 7.10 (1) (d) The county clerk may receive and store any unused ballots after an election
5 upon request of any municipal clerk of a municipality within the county, and may destroy such
6 ballots pursuant to s. 7.23 (1) (am).

7 **SECTION 2.** 7.23 (1) (a) of the statutes is amended to read:

8 7.23 (1) (a) Any Except as provided in par. (am), unused materials after an election and
9 the contents of the blank ballot box after a primary may be destroyed at a time and in a manner
10 designated by the appropriate clerk.

11 **SECTION 3.** 7.23 (1) (am) of the statutes is created to read:

12 7.23 (1) (am) Unused ballots may be discarded or destroyed no earlier than the day after
13 the last day for the filing of a petition for a recount under s. 9.01 for any office on the ballots.

10/10/2005

- 2 -

WLC: 0236/2

1 **SECTION 4. Effective date.** This act takes effect on January 1, 2006.

2 (END)

- 1 **AN ACT** *to amend* 6.86 (1) (b); and *to create* 6.86 (1) (c) of the statutes; **relating to:**
2 the deadline for requesting an absentee ballot by mail.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

JOINT LEGISLATIVE COUNCIL PREFATORY NOTE: This draft was prepared for the joint legislative council's special committee on election law review.

Under current law, requests for absentee ballots made by an elector by mail must be received by the municipal clerk by 5 p.m. on the Friday preceding the election. This draft changes the deadline for such requests to no later than 5 p.m. on the 6th day immediately preceding the election, except for applications submitted by military electors. Under the draft, applications by mail from military electors retain the current deadline of 5 p.m. on the Friday before the election.

This draft contains an effective date of January 1, 2006.

- 3 **SECTION 1.** 6.86 (1) (b) of the statutes is amended to read:
4 6.86 (1) (b) Except as provided in this section, if application is made in writing by mail,
5 the application, signed by the elector, shall be received no later than 5 p.m. on the Friday 6th
6 day immediately preceding the election. If application is made in person, the application shall
7 be made no later than 5 p.m. on the day preceding the election. If the elector is making written
8 application and the application indicates that the reason for requesting an absentee ballot is
9 that the elector is a sequestered juror, the application shall be received no later than 5 p.m. on
10 election day. If the application is received after 5 p.m. on the Friday immediately preceding
11 the election, the municipal clerk or the clerk's agent shall immediately take the ballot to the
12 court in which the elector is serving as a juror and deposit it with the judge. The judge shall
13 recess court, as soon as convenient, and give the elector the ballot. The judge shall then

1/50
fax
or
email?
see
6.86(1)(a)
+ NO

1 witness the voting procedure as provided in s. 6.87 and shall deliver the ballot to the clerk or
2 agent of the clerk who shall deliver it to the polling place as required in s. 6.88. If application
3 is made under sub. (2), the application may be received no later than 5 p.m. on the Friday
4 immediately preceding the election.

5 **SECTION 2.** 6.86 (1) (c) of the statutes is created to read:

6 6.86 (1) (c) If an application is made by mail by a military elector, as defined in s. 6.22
7 (1) (b), the application shall be received no later than 5 p.m. on the Friday immediately
8 preceding the election.

9 (END)

draft
subch.
II of
Ch. 10

RJC:tlu

09/14/2005

1 **AN ACT** *to amend* 6.86 (1) (b), 10.66 (4) (Lm), 10.66 (5) (n) 3., 10.70 (3) (em), 10.70
2 (5) (am), 10.76 (4) (e) 3., 10.76 (5) (k) 3., 10.80 (4) (cm) and 10.80 (5) (g); and *to*
3 *create* 6.86 (1) (c), 10.66 (4) (jm), 10.66 (5) (Lm), 10.70 (3) (dm), 10.70 (4) (em),
4 10.76 (4) (cm), 10.76 (5) (im), 10.80 (4) (bg) and 10.80 (5) (em) of the statutes;
5 **relating to:** the deadline for requesting an absentee ballot by mail.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

JOINT LEGISLATIVE COUNCIL PREFATORY NOTE: This draft was prepared for the joint legislative council's special committee on election law review.

Under current law, requests for absentee ballots made by an elector by mail must be received by the municipal clerk by 5 p.m. on the Friday preceding the election. This draft changes the deadline for such requests to no later than 5 p.m. on the 7th day immediately preceding the election, except for applications submitted by military electors. Under the draft, applications by mail from military electors retain the current deadline of 5 p.m. on the Friday before the election. *self jurors*

This draft contains an effective date of January 1, 2006.

6 **SECTION 1.** 6.86 (1) (b) of the statutes is amended to read:

7 6.86 (1) (b) Except as provided in this section, if application is made in writing by mail,
8 the application, signed by the elector, shall be received no later than 5 p.m. on the Friday 7th
9 day immediately preceding the election. If application is made in person, the application shall
10 be made no later than 5 p.m. on the day preceding the election. If the elector is making written
11 ~~application and~~ the application indicates that the reason for requesting an absentee ballot is
12 that the elector is a sequestered juror, the application shall be received no later than 5 p.m. on
13 election day. If the application is received after 5 p.m. on the Friday immediately preceding

1 the election, the municipal clerk or the clerk's agent shall immediately take the ballot to the
2 court in which the elector is serving as a juror and deposit it with the judge. The judge shall
3 recess court, as soon as convenient, and give the elector the ballot. The judge shall then
4 witness the voting procedure as provided in s. 6.87 and shall deliver the ballot to the clerk or
5 agent of the clerk who shall deliver it to the polling place as required in s. 6.88. If application
6 is made under sub. (2), the application may be received no later than 5 p.m. on the ~~Friday~~
7 ^{7th day} immediately preceding the election.

8 **SECTION 2.** 6.86 (1) (c) of the statutes is created to read:

9 6.86 (1) (c) If an application is made by mail by a military elector, as defined in s. 6.22
10 (1) (b), the application shall be received no later than 5 p.m. on the Friday immediately
11 preceding the election.

12 **SECTION 3.** 10.66 (4) (jm) of the statutes is created to read:

13 10.66 (4) (jm) *7th day before primary.* 5 p.m., on the 7th day before the spring primary,
14 is the deadline for receipt of absentee ballot applications by mail from electors other than
15 military electors for absentee ballots for the primary. See s. 6.86 (1).

16 **SECTION 4.** 10.66 (4) (Lm) of the statutes is amended to read:

17 10.66 (4) (Lm) *Friday before primary.* 5 p.m., on the Friday before the spring primary,
18 is the deadline for receipt of applications by mail from military electors for absentee ballots
19 for the primary. See s. 6.86 (1).

20 **SECTION 5.** 10.66 (5) (Lm) of the statutes is created to read:

21 10.66 (5) (Lm) *7th day before election.* 5 p.m., on the 7th day before the spring election,
22 is the deadline for receipt of absentee ballot applications by mail from electors other than
23 military electors for absentee ballots for the spring election. See s. 6.86 (1).

24 **SECTION 6.** 10.66 (5) (n) 3. of the statutes is amended to read:

1 10.66 (5) (n) 3. 5 p.m., on Friday before the spring election, is the deadline for receipt
2 of application by mail from military electors for absentee ballots for the election. See s. 6.86
3 (1).

4 **SECTION 7.** 10.70 (3) (dm) of the statutes is created to read:

5 10.70 (3) (dm) *7th day before primary.* 5 p.m., on the 7th day before the spring primary,
6 is the deadline for receipt of absentee ballot applications by mail from electors other than
7 military electors for absentee ballots for the primary. See s. 6.86 (1).

8 **SECTION 8.** 10.70 (3) (em) of the statutes is amended to read:

9 10.70 (3) (em) *Friday before primary.* 5 p.m., on the Friday before the spring primary,
10 is the deadline for application by mail from military electors for an absentee ballot for the
11 spring primary. See s. 6.86 (1).

12 **SECTION 9.** 10.70 (4) (em) of the statutes is created to read:

13 10.70 (4) (em) *7th day before election.* 5 p.m., on the 7th day before the spring election,
14 is the deadline for receipt of absentee ballot applications by mail from electors other than
15 military electors for absentee ballots for the spring election. See s. 6.86 (1).

16 **SECTION 10.** 10.70 (5) (am) of the statutes is amended to read:

17 10.70 (5) (am) *Friday before election.* 5 p.m., on the Friday before the spring election,
18 is the deadline for application by mail from military electors for an absentee ballot for the
19 spring election. See s. 6.86 (1).

20 **SECTION 11.** 10.76 (4) (cm) of the statutes is created to read:

21 10.76 (4) (cm) *7th day before primary.* 5 p.m., on the 7th day before the September
22 primary, is the deadline for receipt of absentee ballot applications by mail from electors other
23 than military electors for absentee ballots for the primary. See s. 6.86 (1).

24 **SECTION 12.** 10.76 (4) (e) 3. of the statutes is amended to read:

1 10.76 (4) (e) 3. 5 p.m., on the Friday before the September primary, is the deadline for
2 receipt of mail applications from military electors for absentee ballots for the primary. See
3 s. 6.86 (1).

4 **SECTION 13.** 10.76 (5) (im) of the statutes is created to read:

5 10.76 (5) (im) *7th day before election.* 5 p.m., on the 7th day before the general election,
6 is the deadline for receipt of absentee ballot applications by mail from electors other than
7 military electors for absentee ballots for the general election. See s. 6.86 (1).

8 **SECTION 14.** 10.76 (5) (k) 3. of the statutes is amended to read:

9 10.76 (5) (k) 3. 5 p.m., on the Friday before the general election, is the deadline for
10 receipt of applications by mail from military electors for absentee ballots for the election. See
11 s. 6.86 (1).

12 **SECTION 15.** 10.80 (4) (bg) of the statutes is created to read:

13 10.80 (4) (bg) *7th day before primary.* 5 p.m., on the 7th day before the September
14 primary, is the deadline for receipt of absentee ballot applications by mail from electors other
15 than military electors for absentee ballots for the primary. See s. 6.86 (1).

16 **SECTION 16.** 10.80 (4) (cm) of the statutes is amended to read:

17 10.80 (4) (cm) *Friday before primary.* 5 p.m., on the Friday before the September
18 primary, is the deadline for application by mail from a military elector for an absentee ballot
19 for the September primary. See s. 6.86 (1).

20 **SECTION 17.** 10.80 (5) (cm) of the statutes is created to read:

21 10.80 (5) (em) *7th day before election.* 5 p.m., on the 7th day before the general election,
22 is the deadline for receipt of absentee ballot applications by mail from electors other than
23 military electors for absentee ballots for the general election. See s. 6.86 (1).

24 **SECTION 18.** 10.80 (5) (g) of the statutes is amended to read:

1 10.80 (5) (g) *Friday before election.* 5 p.m., on the Friday before the general election,
2 is the deadline for application by mail for an absentee ballot from military electors for the
3 general election. See s. 6.86 (1).

4 (END)

1 **AN ACT** *to amend* 7.08 (1) (c); and *to create* 5.35 (6) (c) of the statutes; **relating to:**
2 the requirement to post maps at polling locations, ~~and making an appropriation.~~

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

JOINT LEGISLATIVE COUNCIL PREFATORY NOTE: This draft was prepared for the joint legislative council's special committee on election law review.

This draft provides that in each municipality served by more than one polling place at any election, the municipal clerk or board of election commissioners must prominently post a map of the geographic area served by the polling place for that election. The posting is required to display the boundaries of the ward or wards served by the polling place for that election. Under current law, polling place information must be published or posted prior to an election, but there is no requirement for posting at polling places.

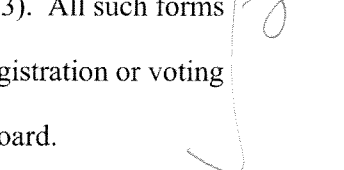
The draft contains an effective date of January 1, 2006.

3 **SECTION 1m.** 5.35 (6) (c) of the statutes is created to read:

4 5.35 (6) (c) At each polling place located in a municipality that is served by more than
5 one polling place for an election, the municipal clerk or board of election commissioners shall
6 prominently post a map of the geographic area served by the polling place for that election.
7 The posting shall clearly show the boundaries of the ward or wards served by the polling place
8 for that election.

9 **SECTION 1.** 7.08 (1) (c) of the statutes is amended to read:

10 7.08 (1) (c) Prescribe forms required by ss. 5.35 (6) (c), 6.24 (3) and (4), 6.30 (4), 6.33
11 (1), 6.40 (1) (a), 6.47 (1) (a) 2. and (3), 6.55 (2) and (3), and 6.86 (2) and (3). All such forms
12 shall contain a statement of the penalty applicable to false or fraudulent registration or voting
13 through use of the form. Forms are not required to be furnished by the board.



10/13/2005

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WLC: 0248/2

1 **SECTION 2. Effective date.** This Act takes effect on January 1, 2006.

2 (END)

1 **AN ACT** *to renumber* 7.31 (2) to (5); *to amend* 6.26 (2) (c), 6.26 (3), 7.03 (1) (a), 7.15
2 (1) (e), 7.15 (11), 7.30 (2) (c), 7.30 (6) (b) and 7.31 (title); and *to create* 7.15 (1m),
3 7.31 (2m), 7.31 (3m) and 7.31 (4m) of the statutes; **relating to:** mandatory training
4 for certain poll workers, ~~and making an appropriation.~~

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

JOINT LEGISLATIVE COUNCIL PREFATORY NOTE: This draft was prepared for the joint legislative council's special committee on election law review.

Under current law, the elections board conducts training programs for chief inspectors (chief officials at polling places). No person may serve as a chief inspector if he or she has not been certified by the elections board as having met the requirements prescribed by the board for certification. The elections board must also prescribe requirements for maintaining certification. The elections board may also conduct training programs for other election officials. Municipal clerks and boards of election commissioners are required to train all election officials, and municipalities may require applicants for election official positions to take examinations. Currently, the elections board and municipal clerks and boards of election commissioners may appoint special registration deputies who obtain voter registrations from electors prior to the close of registration (the second Wednesday before an election).

Under current law, municipal clerks and boards of election commissioners may appoint special voting deputies to conduct voting at nursing homes and certain retirement homes and community-based residential facilities. Currently, the clerks and boards of election commissioners must train the deputies in accordance with rules prescribed by the elections board.

This draft requires municipal clerks to train all poll workers other than chief inspectors, who would continue to be trained, and certified under current law, as well as special registration deputies and special voting deputies pursuant to rules developed by the elections board. The draft authorizes the board to produce and periodically update a video program and make the program available electronically through an Internet-based

system. The draft provides that no person may serve as a poll worker, special registration deputy, or special voting deputy unless that person has received training required in the draft. Municipalities are required to compensate election officials other than special registration deputies and special voting deputies for attendance at training sessions. In addition, the draft requires all municipal clerks to receive election training at least once every 2 years.

The draft contains an effective date of January 1, 2006.

1 **SECTION 1.** 6.26 (2) (c) of the statutes is amended to read:

2 6.26 **(2)** (c) No individual may serve as a special registration deputy in a municipality
3 unless the individual is appointed by the municipal clerk or board of election commissioners
4 of the municipality or the individual is appointed by the elections board to serve all
5 municipalities and the individual completes training required under 7.31.

6 **SECTION 2.** 6.26 (3) of the statutes is amended to read:

7 6.26 **(3)** The board shall, by rule, prescribe procedures for appointment of special
8 registration deputies, for revocation of appointments of special registration deputies, and for
9 training of special registration deputies by municipal clerks and boards of election
10 commissioners. The procedures shall be coordinated with training programs for special
11 registration deputies conducted by municipal clerks under s. 7.31 and shall be formulated to
12 promote increased registration of electors consistent with the needs of municipal clerks and
13 boards of election commissioners to efficiently administer the registration process.

14 **SECTION 2m.** 7.03 (1) (a) of the statutes is amended to read:

15 7.03 **(1)** (a) Except as authorized under this paragraph, a reasonable daily compensation
16 shall be paid to each inspector, voting machine custodian, automatic tabulating equipment
17 technician, member of a board of canvassers, messenger, and tabulator who is employed and
18 performing duties under chs. 5 to 12. Daily compensation shall also be provided to officials
19 inspectors and inspector trainees for attendance at training programs conducted by the board

1 municipal clerks under s. 7.31. Alternatively, such election officials and trainees may be paid
2 by the hour at a proportionate rate for each hour actually worked. Any election official or
3 trainee may choose to volunteer his or her services by filing with the municipal clerk of the
4 municipality in which he or she serves a written declination to accept compensation. The
5 volunteer status of the election official or trainee remains effective until the official or trainee
6 files a written revocation with the municipal clerk.

7 → Am, 7.10(9) how should this read? OK per insert
SECTION 2g. 7.15 (1) (e) of the statutes is amended to read:

8 7.15 (1) (c) ~~In coordination with the board, instruct~~ Train election officials in their
9 duties, calling them together whenever advisable, advise them of changes in laws, rules and
10 procedures affecting the performance of their duties, and administer examinations as
11 authorized under s. 7.30 (2) (c). ~~The training shall meet the training requirements promulgated~~
12 ~~in rules by the board under s. 7.31.~~ conform with prescribed promulgated The clerk shall assure that officials who serve at polling
13 places where an electronic voting system is used are familiar with the system and competent
14 to instruct electors in its proper use. The clerk shall inspect systematically and thoroughly the
15 conduct of elections in the municipality so that elections are honestly, efficiently and
16 uniformly conducted.

17 SECTION 2m. 7.15 (1m) of the statutes is created to read:

18 7.15 (1m) ATTEND TRAINING. Each municipal clerk shall, at least once every two years,
19 attend training sponsored by the board under 7.31.

20 SECTION 2r. 7.15 (11) of the statutes is amended to read:

21 7.15 (11) TRAINING OF ELECTION OFFICIALS. Each municipal clerk shall assist the board
22 in the training of train election officials under ~~ss. 5.05 (7) and s.~~ 7.31.

23 SECTION 3. 7.30 (2) (c) of the statutes is amended to read:

1 7.30 (2) (c) The governing body of any municipality may require all persons serving
 2 as election officials to prove their ability to read and write English and to have a general
 3 knowledge of the election laws. Examinations may be given to prove the qualifications can
 4 be met. The municipal clerk shall ensure that all training procedures and requirements meet
 5 the training requirements ^{prescribed} promulgated in rules ^{promulgated} by the board under s. 7.31.

6 **SECTION 4.** 7.30 (6) (b) of the statutes is amended to read:

7 7.30 (6) (b) Prior to the first election following the appointment of the inspectors, the
 8 municipal clerk shall appoint one of the inspectors at each polling place to serve as chief
 9 inspector. No person may serve as chief inspector at any election who is not certified by the
 10 board under s. 7.31 ⁽¹⁾ at the time of the election. The chief inspector shall hold the position for
 11 the remainder of the term unless the inspector is removed by the clerk or the inspector ceases
 12 to be certified under s. 7.31, ~~except that whenever~~ ⁽¹⁾ Whenever wards are combined or separated
 13 under s. 5.15 (6) (b), the municipal clerk shall appoint another inspector who is certified under
 14 s. 7.31 ⁽¹⁾ to serve as chief inspector at each polling place designated under s. 5.15 (6) (b). If a
 15 vacancy occurs in the position of chief inspector at any polling place, the municipal clerk shall
 16 appoint one of the other inspectors who is certified under s. 7.31 ⁽¹⁾ to fill the vacancy.

17 **SECTION 5.** 7.31 (title) of the statutes is amended to read:

18 **7.31 (title) Training and certification of chief inspectors, ^{and} other election officials,**
 19 **special voting deputies, and special registration deputies.**
^{certification of chief inspectors.}

20 **SECTION 6.** 7.31 (2) to (5) of the statutes are renumbered ^{(1) to (4)} (b) to (e).
^{Am 7.31(5) this section subsection}

21 **SECTION 7.** 7.31 (2m) of the statutes is created to read:

22 7.31 (2m) (a) The board shall, by rule, prescribe the contents of the training that
 23 municipal clerks must provide to municipal election officials, other than chief inspectors, and
 24 to special voting deputies ^{appointed} under s. 6.875 and special registration deputies ^{appointed} under s. 6.26 ^{and 6.55 (6)}

1 (b) Except as provided in subd. 2., no individual may serve as an ^{inspector} election official, other
2 than a chief inspector, or as a special voting deputy under s. 6.875 or a special registration
3 deputy under s. 6.26 ^{or 6.55(6) at an election} unless the individual has completed training ^{for that election} provided by the municipal
4 clerk pursuant to rules promulgated under par. (a).

5 2. Only when an individual who has received training under subd. 1. is unavailable to
6 perform his or her election duties due to sickness, injury, or other unforeseen occurrence may
7 an individual who has not received training under subd. 1. serve as an ^{inspector} election official, other
8 than chief inspector, or a ^{deputy special} special voting or registration deputy. The appointment of an
9 individual to serve under this subdivision shall ^{be for a specific election} last no longer than one day and no individual
10 may be appointed under this subdivision more than one time in a two-year period.

11 **SECTION 8.** 7.31 (3m) of the statutes is created to read:

12 7.31 (3m) The board shall, by rule, prescribe requirements for, and the content of,
13 training required of municipal clerks under s. 7.15 (1m). The board may provide such training
14 directly or arrange for such training to be provided by other organizations. The rules may not
15 require training more than once every two years. The rules shall provide a method for
16 notifying the relevant municipal governing body if a municipal clerk fails to attend required
17 training.

18 **SECTION 9.** 7.31 (4m) of the statutes is created to read:

19 7.31 (4m) The board may produce and periodically reissue as necessary a video
20 program for the purpose of training election officials, ^{including} special voting deputies and special
21 registration deputies. The board shall make any such program available for viewing
22 electronically through an Internet-based system.

23 **SECTION 10. Effective date.** This Act takes effect on January 1, 2006.
24

(END)

to CMH
REISA9
to SB42?

1 **AN ACT** *to renumber and amend* 6.55 (3); *to amend* 6.29 (2) (a), 6.33 (1), 6.36 (1)
2 (a), 6.36 (2) (a), 6.55 (2) (a) 1., 302.117, 973.09 (4m) and 973.176 (2); and *to create*
3 6.29 (2) (am), 6.55 (2) (cs), 6.55 (3) (b), 6.56 (3m), 6.79 (2) (dm), 6.88 (3) (c),
4 301.03 (3a) and 301.03 (20) of the statutes; **relating to:** lists of felons ineligible to
5 vote at an election.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

JOINT LEGISLATIVE COUNCIL PREFATORY NOTE: This draft was prepared for the joint legislative council's special committee on election law review.

Under current law, any person who is convicted of a felony is not eligible to vote. However, if the person is pardoned or the person completes his or her sentence, the person's voting rights are restored. A person who is on probation, parole, or extended supervision has not completed his or her sentence. Under current law, there is no procedure that election officials must use to identify felons who are ineligible to vote and to prevent them from voting.

This draft directs the department of corrections (DOC) to transmit electronically to the elections board, on a continuous basis, a list containing the names of each person who has been convicted of a felony under the laws of this state and whose voting rights have not been restored, together with the date on which DOC expects his or her voting rights to be restored. (The voting rights of a convicted felon are restored if the felon is pardoned or if the felon is released from incarceration and is not on parole, probation, or extended supervision.) The draft directs the board to enter the information received from DOC on the statewide voter registration list and to maintain the information on that list so that the information is kept current.

Under the draft, the information is open to public inspection. The draft also directs the board to enter on the poll list prepared for each election a notation after the name of any elector who is ineligible to vote on that date because the person's name appears on the current list that DOC provides. In addition, the draft directs the board to provide for each

polling place at each election a list of persons whose names do not appear on the registration list but whose names appear on the current list that DOC provides and whose addresses are located within the area served by the polling place.

These lists are open to public inspection. The draft requires poll workers to check the lists and to inform any person whose name appears on the lists that they are ineligible to register to vote or to vote. A person whose name appears on a list and who claims to be eligible to vote may still be allowed to vote, but the person must vote by ballot. The ballot is marked for later examination and it may be reviewed and discounted during a canvass or recount if the appropriate board of canvassers determines that the person who cast the ballot is ineligible to vote.

The draft also requires every person who registers to vote, to affirm specifically that he or she has not been convicted of a felony for which he or she has not been pardoned and, if so, whether the person is incarcerated or on probation, parole, or extended supervision resulting from that conviction. Currently, the law requires a person who registers at a polling place only to affirm that he or she is not disqualified on any ground from voting, and does not require any similar affirmation from other late registrants.

In addition, the draft directs the elections board to conduct a postelection audit after each election to determine whether any ineligible felons have been allowed to register and vote after the close of registration. If so, the board is directed to enter a notation reflecting this ineligibility on the registration list and to provide the names of these felons to the district attorney.

Finally, the draft requires DOC to create a form for notifying individuals of their ineligibility to vote. When an inmate who is disqualified from voting is released to parole or extended supervision, the DOC must use the form to notify the person that he or she may not vote until his or her civil rights are restored. The person and a witness must sign the form. The same procedure must be followed for each probationer, and by the court every time it imposes a sentence or places a defendant on probation for a conviction that disqualifies him or her from voting.

- 1 **SECTION 1.** 6.29 (2) (a) of the statutes is amended to read:
- 2 6.29 **(2)** (a) Any qualified elector of a municipality who has not previously filed a
- 3 registration form or whose name does not appear on the registration list of the municipality
- 4 may register after the close of registration but not later than 5 p.m. or the close of business,

1 whichever is later, on the day before an election at the office of the municipal clerk and at the
2 office of the clerk's agent if the clerk delegates responsibility for electronic maintenance of
3 the registration list to an agent under s. 6.33 (5) (b). The elector shall complete, in the manner
4 provided under s. 6.33 (2), a registration form containing all information required under s. 6.33
5 (1). The registration form shall also contain the following certification: "I, ..., hereby certify
6 that to the best of my knowledge, I am a qualified elector, having resided at ... for at least 10
7 days immediately preceding this election, and I have not voted at this election". The elector
8 shall also provide acceptable proof of residence under s. 6.55 (7). Alternatively, if the elector
9 is unable to provide acceptable proof of residence under s. 6.55 (7), the information contained
10 in the registration form shall be corroborated in a statement that is signed by any other elector
11 of the municipality and that contains the current street address of the corroborating elector.
12 The corroborating elector shall then provide acceptable proof of residence under s. 6.55 (7).

13 **SECTION 2.** 6.29 (2) (am) of the statutes is created to read:

14 6.29 (2) (am) The board shall provide to each municipal clerk a list prepared for use at
15 each municipal clerk's office showing the name and address of each person whose name
16 appears on the list provided by the department of corrections under s. 301.03 (20) as ineligible
17 to vote on the date of the election, whose address is located in the municipality, and whose
18 name does not appear on the registration list for that municipality. Prior to permitting an
19 elector to register to vote under this subsection, the municipal clerk shall review the list. If
20 the name of an elector who wishes to register to vote appears on the list, the municipal clerk
21 shall inform the elector that the elector is ineligible to register to vote. If the elector maintains
22 that he or she is eligible to vote in the election, the municipal clerk shall permit the elector to
23 register to vote but shall mark the elector's registration form as "ineligible to vote per
24 Department of Corrections". If the elector wishes to vote, the municipal clerk shall challenge

1 the elector's ballot in the same manner as provided for inspectors who challenge ballots under
2 s. 6.79 (2) (dm).

3 **SECTION 3.** 6.33 (1) of the statutes, as affected by 2003 Wisconsin Act 265, section 49b,
4 is amended to read:

5 **6.33 (1)** The municipal clerk shall supply sufficient registration forms as prescribed by
6 the board printed on loose-leaf sheets or cards to obtain from each applicant information as
7 to name, date, residence location, citizenship, age, whether the applicant has resided within
8 the ward or election district for at least 10 days, whether the applicant has lost his or her right
9 to vote been convicted of a felony for which he or she has not been pardoned, and if so, whether
10 the applicant is incarcerated, or on parole, probation, or extended supervision; whether the
11 applicant is disqualified on any other ground from voting. The forms shall also provide a space
12 for the applicant's signature and the ward and aldermanic district, if any, where the elector
13 resides and any other information required to determine the offices and referenda for which
14 the elector is certified to vote. The forms shall also include a space where the clerk may record
15 an indication of whether the form is received by mail and a space where the clerk, for any
16 applicant who possesses a valid voting identification card issued to the person under s. 6.47
17 (3), may record the identification serial number appearing on the voting identification card.
18 Each register of deeds shall obtain sufficient registration forms at the expense of the unit of
19 government by which he or she is employed for completion by any elector who desires to
20 register to vote at the office of the register of deeds under s. 6.28 (3).

21 **SECTION 4.** 6.36 (1) (a) of the statutes is amended to read:

22 **6.36 (1) (a)** The board shall compile and maintain electronically an official registration
23 list. The list shall contain the name and address of each registered elector in the state, the date
24 of birth of the elector, the ward and aldermanic district of the elector, if any, and, for each

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1 elector, a unique registration identification number assigned by the board, the number of a
2 valid operator's license issued to the elector under ch. 343, if any, or the last 4 digits of the
3 elector's social security account number, if any, any identification serial number issued to the
4 elector under s. 6.47 (3), the date of any election in which the elector votes, an indication of
5 whether the elector is an overseas elector, as defined in s. 6.24 (1), any information relating
6 to the elector that appears on the current list transmitted to the board by the department of
7 corrections under s. 301.03 (20), an indication of any accommodation required under s. 5.25
8 (4) (a) to permit voting by the elector, an indication of the method by which the elector's
9 registration form was received, and such other information as may be determined by the board
10 to facilitate administration of elector registration requirements.

11 **SECTION 5.** 6.36 (2) (a) of the statutes, as affected by 2003 Wisconsin Act 265, section
12 58b, is amended to read:

13 6.36 (2) (a) Except as provided in pars. (b) and (c), each registration list prepared for
14 use as a poll list at a polling place shall contain the full name and address of each registered
15 elector; a blank column for the entry of the serial number of the electors when they vote; if
16 the list is prepared for use at an election for national office, an indication next to the name of
17 each elector for whom identification is required under par. (c) 2.; if the elector's name appears
18 on the current list transmitted to the board by the department of corrections under s. 301.03
19 (20), a notation to that effect; and a form of certificate bearing the certification of the executive
20 director of the board stating that the list is a true and complete registration list of the
21 municipality or the ward or wards for which the list is prepared.

22 **SECTION 6.** 6.55 (2) (a) 1. of the statutes is amended to read:

23 6.55 (2) (a) 1. Except where the procedure under par. (c) or (cm) is employed, any
24 person who qualifies as an elector in the ward or election district where he or she desires to

1 vote, but has not previously filed a registration form, or was registered at another location, may
2 request permission to vote at the polling place for that ward or election district, or at an
3 alternate polling place assigned under s. 5.25 (5) (b). When a proper request is made, the
4 inspector shall require the person to execute a registration form prescribed by the board. The
5 registration form shall be completed in the manner provided under s. 6.33 (2) and shall contain
6 all information required under s. 6.33 (1), together with the following certification:

7 "I,, hereby certify that to the best of my knowledge, I am a qualified elector, having
8 resided at for at least 10 days immediately preceding this election, and ~~that I am not~~
9 ~~disqualified on any ground from voting~~, and I have not voted, at this election."

10 **SECTION 7.** 6.55 (2) (cs) of the statutes is created to read:

11 6.55 (2) (cs) The board shall provide to each municipal clerk a list prepared for use at
12 each polling place showing the name and address of each person whose name appears on the
13 list provided by the department of corrections under s. 301.03 (20) as ineligible to vote on the
14 date of the election, whose address is located in the area served by that polling place, and
15 whose name does not appear on the poll list for that polling place. Prior to permitting an elector
16 to register to vote under this subsection or s. 6.86 (3) (a) 2., the ^{inspectors or} special registration deputies
17 shall review the list. If the name of an elector who wishes to register to vote appears on the
18 list, the ^{inspectors or} special registration deputies shall inform the elector or the elector's agent that the
19 elector is ineligible to register to vote. If the elector or the elector's agent maintains that the
20 elector is eligible to vote in the election, the ^{inspectors or} special registration deputies shall permit the
21 elector to register but shall mark the elector's registration form as "ineligible to vote per
22 Department of Corrections." If the elector wishes to vote, the inspectors shall require the
23 elector to vote by ballot and shall challenge the ballot as provided in s. 6.79 (2) (dm).

24 **SECTION 8.** 6.55 (3) of the statutes is renumbered 6.55 (3) (a) and amended to read:

1 6.55 (3) (a) Any qualified elector in the ward or election district where the elector
2 desires to vote whose name does not appear on the registration list but who claims to be
3 registered to vote in the election may request permission to vote at the polling place for that
4 ward or election district. When the request is made, the inspector shall require the person to
5 give his or her name and address. If the elector is not at the polling place which serves the ward
6 or election district where the elector resides, the inspector shall provide the elector with
7 directions to the correct polling place. If the elector is at the correct polling place, the elector
8 shall then execute the following written statement: "I, ..., hereby certify that to the best of my
9 knowledge, I am a qualified elector, having resided at for at least 10 days immediately
10 preceding this election, and that I am not disqualified on any ground from voting, and I have
11 not voted at this election and am properly registered to vote in this election." The person shall
12 be required to provide acceptable proof of residence as provided under sub. (7) and shall then
13 be given the right to vote. If the elector cannot provide acceptable proof of residence, the
14 statement shall be certified by the elector and shall be corroborated in a statement that is signed
15 by any other elector who resides in the municipality and that contains the current street address
16 of the corroborating elector. The corroborator shall then provide acceptable proof of residence
17 as provided in sub. (7). Whenever the question of identity or residence cannot be satisfactorily
18 resolved and the elector cannot be permitted to vote, an inspector shall telephone the office
19 of the municipal clerk to reconcile the records at the polling place with those at the office.

20 **SECTION 9.** 6.55 (3) (b) of the statutes is created to read:

21 6.55 (3) (b) Prior to permitting an elector to vote under this subsection, the inspectors
22 shall review the list provided by the board under sub. (2) (cs). If the name of the elector appears
23 on the list, the inspectors shall inform the elector that he or she is ineligible to vote at the
24 election. If the elector maintains that he or she is eligible to vote in the election, the inspectors

1 shall permit the elector to vote, but shall require the elector to vote by ballot, and shall
2 challenge the ballot as provided in s. 6.79 (2) (dm).

3 **SECTION 10.** 6.56 (3m) of the statutes is created to read:

4 **6.56 (3m)** As soon as possible after all information relating to registrations after the
5 close of registration for an election is entered on the registration list following the election
6 under s. 6.33 (5) (a), the board shall compare the list of new registrants with the list containing
7 the names transmitted to the board by the department of corrections under s. 301.03 (20) as
8 of election day but whose names do not appear on the poll lists for the election because the
9 names were added after the board certified the poll lists for use at the election. If the board
10 finds that the name of any person whose name appears on the list transmitted under s. 301.03
11 (20) has been added to the registration list, the board shall enter on the list the information
12 transmitted to the board under s. 301.03 (20) and shall notify the district attorney that the
13 person appears to have voted illegally at the election.

14 **SECTION 11.** 6.79 (2) (dm) of the statutes is created to read:

15 **6.79 (2) (dm)** If the poll list indicates that the elector is ineligible to vote because the
16 elector's name appears on the current list provided by the department of corrections under s.
17 301.03 (20), the inspectors shall inform the elector of this fact. If the elector maintains that he
18 or she is eligible to vote in the election, the inspectors shall provide the elector with a ballot
19 and, after the elector casts his or her vote, shall challenge the ballot as provided in s. 6.92 and
20 treat the ballot in the manner provided in s. 6.95.

21 **SECTION 12.** 6.88 (3) (c) of the statutes is created to read:

22 **6.88 (3) (c)** The inspectors shall review each certificate envelope to determine whether
23 any absentee ballot is cast by an elector whose name appears on the poll list as ineligible to
24 vote at the election by reason of a felony conviction. If the inspectors receive an absentee ballot

1 that has been cast by an elector whose name appears on the poll list as ineligible for that reason,
2 the inspectors shall challenge the ballot as provided in s. 6.92 and treat the ballot in the manner
3 provided in s. 6.95.

4 **SECTION 13.** 301.03 (3a) of the statutes is created to read:

5 301.03 (3a) Subject to all of the following, design a form to provide notice under ss.
6 302.117, 973.09 (4m), and 973.176 (2) of ineligibility to vote under s. 6.03 (1) (b):

7 (a) The form shall inform the person who is ineligible to vote that he or she may not vote
8 in any election until his or her civil rights are restored.

9 (b) The form shall inform the person who is ineligible to vote when his or her civil rights
10 are expected to be restored.

11 (c) The form shall include a place for the person to sign indicating that he or she
12 understands that he or she may not vote in any election until his or her civil rights are restored.
13 The form shall include a place also for a witness signature.

14 (d) The form shall be kept in the person's file and a copy shall be given to the person.

15 **SECTION 14.** 301.03 (20) of the statutes is created to read:

16 301.03 (20) Transmit to the elections board, on a continuous basis, a list containing the
17 name of each living person who has been convicted of a felony under the laws of this state and
18 whose civil rights have not been restored, together with his or her residential address and the
19 date on which the department expects his or her civil rights to be restored.

20 **SECTION 15.** 302.117 of the statutes is amended to read:

21 **302.117 Notice regarding ineligibility to vote.** When an inmate who is disqualified
22 from voting under s. 6.03 (1) (b) is released to parole or extended supervision, the department
23 shall inform the person in writing that he or she may not vote in any election until his or her

1 civil rights are restored. The department shall use the form designed under s. 301.03 (3a) to
2 inform the person, and the person and a witness must sign the form.

3 **SECTION 16.** 973.09 (4m) of the statutes is amended to read:

4 973.09 **(4m)** The department shall inform each probationer who is disqualified from
5 voting under s. 6.03 (1) (b) that he or she may not vote in any election until his or her civil rights
6 are restored. The department shall use the form designed under s. 301.03 (3a) to inform the
7 probationer, and the probationer and a witness must sign the form.

8 **SECTION 17.** 973.176 (2) of the statutes is amended to read:

9 973.176 **(2)** VOTING. Whenever a court imposes a sentence or places a defendant on
10 probation for a conviction that disqualifies the defendant from voting under s. 6.03 (1) (b), the
11 court shall inform the defendant in writing that he or she may not vote in any election until
12 his or her civil rights are restored. The court shall use the form designed by the department
13 of corrections under s. 301.03 (3a) to inform the defendant, and the defendant and a witness
14 must sign the form.

15 **SECTION 18. Nonstatutory provisions.**

16 **(1)** No later than the first day of the 6th month beginning after the effective date of this
17 subsection, the department of corrections shall distribute, and have signed in front of a witness,
18 a copy of the form designed under section 301.03 (3a) of the statutes, as created by this act,
19 to each person who is on probation, parole, or extended supervision on that date and who is
20 disqualified from voting in any election under section 6.03 (1) (b) of the statutes.

21 **SECTION 19. Initial applicability.**

22 **(1)** NOTIFICATION REGARDING INELIGIBILITY TO VOTE DURING PAROLE OR EXTENDED
23 SUPERVISION. The treatment of section 302.117 of the statutes first applies to persons whom

1 the department of corrections releases to parole or extended supervision on the effective date
2 of this subsection.

3 (2) NOTIFICATION REGARDING INELIGIBILITY TO VOTE DURING PROBATION. The treatment
4 of section 973.09 (4m) of the statutes first applies to persons whom the court places on
5 probation on the effective date of this subsection.

6 (3) NOTIFICATION AT SENTENCING REGARDING INELIGIBILITY TO VOTE. The treatment of
7 section 973.176 (2) of the statutes first applies to persons whom the court sentences on the
8 effective date of this subsection.

9 **SECTION 20. Effective date.** This Act takes effect on January 1, 2006, except as
10 follows:

11 (1) EFFECTIVE DATE FOR NOTIFICATION. The treatment of sections 302.117, 973.09 (4m),
12 and 973.176 (2) of the statutes and Section 19 (1), (2), and (3) of this act take effect on the first
13 day of the 6th month beginning after publication.

14 (2) EFFECTIVE DATE FOR FORMS. The treatment of sections 301.03 (3a) of the statutes and
15 Section 18 (1) of this act take effect on the day after publication.

16 (END)

1 **AN ACT** *to renumber* 7.30 (1); *to amend* 7.30 (2) (a), 7.30 (2) (b), 7.30 (4) (b) (intro.),
2 7.30 (4) (c), 7.30 (6) (b), 7.30 (6) (c), 7.33 (3), 7.51 (1), 7.51 (4) (a), 7.53 (1), 12.07
3 (2) and 17.29; and *to create* 7.30 (1) (b) of the statutes; **relating to:** the authority to
4 appoint an additional poll worker to serve as a greeter.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

JOINT LEGISLATIVE COUNCIL PREFATORY NOTE: This draft was prepared for the joint legislative council's special committee on election law review.

Under current law, there must be at least 3 inspectors (poll workers) at each polling place. Municipalities may increase that number and may appoint special registration deputies on a nonpartisan basis to register voters at polling places on election day. Inspectors must be appointed from lists containing the names of eligible electors submitted by party committeemen and committeewomen. If no names or insufficient names are submitted, inspectors are appointed on a nonpartisan basis. Certain high school pupils may also be appointed to serve as inspectors. The party whose candidate for president or governor received the most votes in the area served by the polling place at the most recent general election is entitled to one more appointment than the other party. Alternate officials must also be appointed in a sufficient number to maintain adequate staffing.

This draft provides that each municipality may appoint an additional inspector on a nonpartisan basis who serves as a greeter and substitutes for other inspectors who must leave the voting room temporarily. Under the draft, the additional inspector is not entitled to participate in the canvassing process.

The draft contains an effective date of January 1, 2006.

5 **SECTION 1.** 7.30 (1) of the statutes is renumbered 7.30 (1) (a). *per AS 542*

6 **SECTION 2.** 7.30 (1) (b) of the statutes is created to read:

1 7.30 (1) (b) Each municipality may appoint one additional inspector to serve at each
2 polling place without regard to party affiliation who shall serve as a greeter to answer
3 questions and to direct electors to the proper locations for registration and voting and who shall
4 be available to substitute for other election officials who must leave the room during the voting
5 process.

6 **SECTION 3.** 7.30 (2) (a) of the statutes, as affected by 2005 Wisconsin Act 27, is amended
7 to read:

8 7.30 (2) (a) Only election officials appointed under this section or s. 6.875 may conduct
9 an election. Except as otherwise provided in this paragraph and in s. 7.15 (1) (k), each election
10 official shall be a qualified elector of the ward or wards, or the election district, for which the
11 polling place is established. A special registration deputy who is appointed under s. 6.55 (6)
12 or an election official who is appointed under this section to fill a vacancy under par. (b) need
13 not be a resident of the ward or wards, or the election district, but shall be a resident of the
14 municipality, except that if a municipal clerk or deputy clerk serves as a registration deputy
15 or is appointed to fill a vacancy under par. (b), the clerk or deputy clerk need not be a resident
16 of the municipality, but shall be a resident of the state. No more than 2 individuals holding
17 the office of clerk or deputy clerk may serve without regard to municipal residency in any
18 municipality at any election. Special registration deputies who are appointed under s. 6.55 (6)
19 may be appointed to serve more than one polling place. All officials appointed under this
20 section shall be able to read and write the English language, be capable, and be of good
21 understanding, and may not be a candidate for any office to be voted for at an election at which
22 they serve. In 1st class cities, they may hold no public office other than notary public. Except
23 as authorized under sub. subs. (1) (b) and (4) (c), all inspectors shall be affiliated with one of
24 the 2 recognized political parties which received the largest number of votes for president, or

1 governor in nonpresidential general election years, in the ward or combination of wards served
2 by the polling place at the last election. The Excluding the inspector who may be appointed
3 under sub. (1) (b), the party which received the largest number of votes is entitled to one more
4 inspector than the party receiving the next largest number of votes at each polling place. The
5 same election Election officials appointed under this section may serve the electors of more
6 than one ward where wards are combined under s. 5.15 (6) (b). If a municipality is not divided
7 into wards, the ward requirements in this paragraph apply to the municipality at large.

8 **SECTION 4.** 7.30 (2) (b) of the statutes, as affected by 2005 Wisconsin Act 27, is
9 amended to read:

10 7.30 (2) (b) When a vacancy occurs in an office under this section, the vacancy shall
11 be filled by appointment of the municipal clerk. The Unless the vacancy occurs in the position
12 of an inspector appointed under sub. (1) (b), the vacancy shall be filled from the remaining
13 names on the lists submitted under sub. (4) or from additional names submitted by the
14 chairperson of the county party committee of the appropriate party under sub. (4) whenever
15 names are submitted under sub. (4) (d). If the vacancy is due to candidacy, sickness or any
16 other temporary cause, the appointment shall be a temporary appointment and effective only
17 for the election at which the temporary vacancy occurs. The same qualifications shall be
18 required of persons who fill vacancies. Vacancies may be filled in cases of emergency or
19 because of time limitations by a person from another aldermanic district or ward within the
20 municipality.

21 **SECTION 5.** 7.30 (4) (b) (intro.) of the statutes is amended to read:

22 7.30 (4) (b) (intro.) The 2 dominant parties, under sub. (2), are each responsible for
23 submitting a list of names from which the all appointees to inspector positions, other than
24 appointees to inspector positions authorized under sub. (1) (b), shall be chosen.

1 **SECTION 6.** 7.30 (4) (c) of the statutes is amended to read:

2 7.30 (4) (c) For Except with respect to inspectors who are appointed under sub. (1) (b),
3 for so long as nominees are made available by the political parties under this section,
4 appointments may be made only from the lists of submitted nominees. If the lists are not
5 submitted by November 30 of the year in which appointments are to be made, the board of
6 election commissioners shall appoint, or the mayor, president or chairperson of a municipality
7 shall nominate qualified persons whose names have not been submitted. If an insufficient
8 number of nominees appears on the lists as of November 30, the board of election
9 commissioners shall similarly appoint, or the mayor, president or chairperson shall similarly
10 nominate sufficient individuals to fill the remaining vacancies. In addition, the mayor,
11 president, or board chairperson of the municipality shall similarly nominate qualified persons
12 to serve in the inspector positions authorized under sub. (1) (b). Any appointment which is
13 made due to the lack of availability of names submitted under par. (b) may be made without
14 regard to party affiliation.

15 **SECTION 7.** 7.30 (6) (b) of the statutes is amended to read:

16 7.30 (6) (b) Prior to the first election following the appointment of the inspectors, the
17 municipal clerk shall appoint one of the inspectors at each polling place, other than an
18 inspector who is appointed under sub. (1) (b), to serve as chief inspector. No person may serve
19 as chief inspector at any election who is not certified by the board under s. 7.31 at the time of
20 the election. The chief inspector shall hold the position for the remainder of the term unless
21 the inspector is removed by the clerk or the inspector ceases to be certified under s. 7.31, except
22 that whenever Whenever wards are combined or separated under s. 5.15 (6) (b), the municipal
23 clerk shall appoint another inspector who is certified under s. 7.31 to serve as chief inspector
24 at each polling place designated under s. 5.15 (6) (b). If a vacancy occurs in the position of

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1 chief inspector at any polling place, the municipal clerk shall appoint one of the other
2 inspectors who is certified under s. 7.31 to fill the vacancy.

3 **SECTION 8.** 7.30 (6) (c) of the statutes is amended to read:

4 7.30 (6) (c) If any election official appointed under this section lacks the qualifications
5 set forth in this section, fails to attend training sessions required under s. 7.15 (1) (c) unless
6 excused therefrom, is guilty of neglecting his or her official duties or commits official
7 misconduct, the municipal clerk or board of election commissioners shall summarily remove
8 the official from office and the vacancy shall be filled under sub. (2) (b).

9 *Am: 7.32 7.30 (1) (a)*
SECTION 9. 7.33 (3) of the statutes is amended to read:

10 7.33 (3) Every employer shall grant to each employee who is appointed to serve as an
11 election official under s. 7.30 a leave of absence for the entire 24-hour period of each election
12 day in which the official serves in his or her official capacity. An employee who serves as an
13 election official shall provide his or her employer with at least 7 days' notice of application
14 for a leave. The municipal clerk shall verify appointments upon request of any employer.

15 *Am 7.33 (4) + (6)*
SECTION 10. 7.51 (1) of the statutes is amended to read:

16 7.51 (1) CANVASS PROCEDURE. Immediately after the polls close the inspectors except
17 any inspector appointed under s. 7.30 (1) (b) shall proceed to canvass publicly all votes
18 received at the polling place. In any municipality where an electronic voting system is used,
19 the municipal governing body or board of election commissioners may provide or authorize
20 the municipal clerk or executive director of the board of election commissioners to provide
21 for the adjournment of the canvass to one or more central counting locations for specified
22 polling places in the manner prescribed in subch. III of ch. 5. No central counting location
23 may be used to count votes at a polling place where an electronic voting system is not
24 employed. The canvass, whether conducted at the polling place or at a central counting

1 location, shall continue without adjournment until the canvass is completed and the return
2 statements are made. The inspectors shall not permit access to the name of any elector who
3 has obtained a confidential listing under s. 6.47 (2) during the canvass, except as authorized
4 in s. 6.47 (8).

5 **SECTION 11.** 7.51 (4) (a) of the statutes is amended to read:

6 7.51 (4) (a) The tally sheets shall state the total number of votes cast for each office and
7 for each individual receiving votes for that office, whether or not the individual's name
8 appears on the ballot, and shall state the vote for and against each proposition voted on. Upon
9 completion of the tally sheets, the inspectors shall immediately complete inspectors'
10 statements in duplicate. The inspectors shall state the excess, if any, by which the number of
11 ballots exceeds the number of electors voting as shown by the poll list and shall state the
12 number of the last elector as shown by the poll lists. At least 3 inspectors, including the chief
13 inspector and, unless election officials are appointed under s. 7.30 (4) (c) without regard to
14 party affiliation, at least one inspector representing each political party, but not including any
15 inspector appointed under s. 7.30 (1) (b), shall then certify to the correctness of the statements
16 and tally sheets and sign their names. All other election officials assisting with the tally shall
17 also certify to the correctness of the tally sheets. When the tally is complete, the inspectors
18 shall publicly announce the results from the statements.

19 **SECTION 12.** 7.53 (1) of the statutes is amended to read:

20 7.53 (1) MUNICIPALITIES WITH ONE POLLING PLACE. Where the municipality constitutes
21 one ward or combines all wards to utilize a single polling place under s. 5.15 (6) (b), the
22 canvass shall be conducted publicly under s. 7.51 and the inspectors, other than any inspector
23 appointed under s. 7.30 (1) (b), shall act as the municipal board of canvassers. Upon
24 completion of the canvass and ascertainment of the results by the inspectors, the municipal

1 clerk shall publicly read the names of the persons voted for and the number of votes for each
2 person for each municipal office, the names of the persons declared by the inspectors to have
3 won nomination or election to each municipal office and the number of votes cast for and
4 against each municipal referendum question.

5 **SECTION 13.** 12.07 (2) of the statutes is amended to read:

6 12.07 (2) No employer may refuse to allow an employee to serve as an election official
7 under s. 7.30 or make any threats or offer any inducements of any kind to the employee for
8 the purpose of preventing the employee from so serving.

9 **SECTION 14.** 17.29 of the statutes is amended to read:

10 **17.29 Effect of chapter.** The provisions of this chapter supersede all contrary
11 provisions in either the general law or in special acts, except ~~ch. 7 ss. 6.26 (2) (b), 6.28 (2) (b),~~
12 ~~6.55 (6), 6.873, and 7.30~~ relating to appointed election officers appointed for the election
13 ~~wards or polling places in the state~~ officials and ch. 21 relating to the military staff of the
14 governor and to officers of the Wisconsin national guard; and shall govern all offices whether
15 created by general law or special act, unless otherwise specially provided.

16 **SECTION 15. Effective date.** This Act takes effect on January 1, 2006.

17 (END)

1 AN ACT *to amend* 9.01 (10) of the statutes; **relating to:** standard recount procedures.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

JOINT LEGISLATIVE COUNCIL PREFATORY NOTE: This draft was prepared for the joint legislative council's special committee on election law review.

Under current law, the state elections board is required to prescribe standard forms and procedures for the making of recounts.

This draft requires the procedures developed by the elections board to require boards of canvassers in recounts involving more than one board of canvassers to consult with the elections board staff prior to beginning any recount to ensure that uniform procedures are used, to the extent practicable, in conducting such recounts.

The draft contains an effective date of January 1, 2006.

2 **SECTION 1.** 9.01 (10) of the statutes is amended to read:

3 9.01 (10) STANDARD FORMS AND METHODS. The elections board shall prescribe standard
4 forms and procedures for the making of recounts under this section. The procedures
5 prescribed by the elections board shall require the boards of canvassers in recounts involving
6 more than one board of canvassers to consult with the elections board staff prior to beginning
7 any recount in order to ensure that uniform procedures are used, to the extent practicable, in
8 such recounts.

9 **SECTION 2. Effective date.** This Act takes effect on January 1, 2006.

10 (END)